

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:06CR295
)	
v.)	
)	
KENNETH R. HEATH,)	ORDER
)	
Defendant.)	
_____)	

This matter is before the Court on defendant's motion to compel government to fulfill plea agreement (Filing No. 49). The Court notes that plaintiff has filed a Rule 35 motion on defendant's behalf and that said motion is scheduled for hearing. Accordingly,

IT IS ORDERED that defendant's motion to compel is denied as moot.

DATED this 23rd day of June, 2008.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court